IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9472 OF 2005

Shri Mahalaxmi Sahakari Malki
Grihnirman Sanstha Ltd.,Sangli. Petitioner

versus

Smt.Sushila Anant Sutale & ors. Respondents

Mr.G.N.Salunke for petitioner.

Mr.S.S.Patwardhan for respondents 1 and 2.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 9th January 2006

PC :

1. Heard Shri Salunke for the petitioner and Shri Patwardhan for respondents 1 and 2.

2. After hearing parties, in my view, no case is made out for interference under Article 227 of the Constitution of India with the observations and findings of the Lower Appellate Court while passing an interlocutory order on the petitioner’s dispute. All observations about the possession of the petitioner and the right to

file a dispute are, prima facie and necessarily made for the purposes of disposing off the interlocutory application. The same cannot influence the Court when the matter is tried on merits. Considering the nature of the dispute, the Trial Court is directed to decide the same expeditiously.

(S.C.DHARMADHIKARI, J.)